

Truro Board of Selectmen Meeting

Tuesday, August 21, 2007-6:00 pm

Members Present: Chairman Fred Gaechter, Vice-Chairman Gary Palmer, Clerk-Christopher R. Lucy, Jan Worthington, Curtis Hartman

Present: Town Administrator Pamela T. Nolan, Steve Desroche-Cape Codder reporter, Kevin Mullaney-Provincetown Banner reporter, Susan Travers, Eliza Harned, Peter Weiss, Ronney Weiss, Andrea Kline, Donald Kline, Bob Weinstein, Judith Shahn, Peggy Frank, Anne Kandel, Steve Kandel, Larry Schifffenhaus, Marian Averbach, Marcia Simon, James Simon, Rosalind Pace, Ellen Kava, Sam Boleyn, Bruce Boleyn, Joyce Johnson, Brenda Boleyn, Susan Kadar, Lynne Tudor, Steve Durhee, Roberta Lema, Martin Desht, Evelyn Adler, Regan McCarthy, Jon Friedman, Joanne Barkan, Barbara Sass, Paul Kiernan, Steve Royka, Norm Edinberg, Kyle Hinkle, Lauren McKean, William Burney, Kenni Burney, Edgar Francis, Russell Braun, John Reis, Attorney Landreth, Irma Ruckstuhl, Joan Holt, Bob Holt,

Regular Meeting Convened at 6:00 pm-Meeting convened at 6:00 pm by Chairman Gaechter.

Review/Approve Minutes-August 7, 2007

Mr. Gaechter asked the Board to comment on the draft August 7, 2007 minutes. Mr. Lucy had the following corrections. Page 2, Curb Cut request for 41 Bayview Road- "He noted that **insert** Paul Morris is Gregory's nephew not brother". Page 3 Curb Cut request for 41 Bayview Road- **Delete** Mr. Anthony and **insert "Mr. Ardino"** said. "Mr. Lucy stepped back in to comment that if **delete "the road is improved and the"** curb cut is granted, the applicant would be willing to foot the bill". Gary Palmer moved to approve and amend the minutes of the August 7, 2007 meeting, seconded by Curtis Hartman. **Vote: 5-0, unanimous.**

Public Comment Period

Robert Lema appeared before the Board to ask for clarification concerning public parking at the parking lot at Pamet Harbor. In the past, if you had a beach sticker you were allowed to park at the harbor. Ms. Lema was informed by a town employee that if she didn't have a boat or a trailer on her vehicle she was not allowed to park at the harbor. Ms. Nolan informed Ms. Lema that the town tries to accommodate all vehicles but because of the busy time of year it may not be possible. Ms. Worthington would like spaces designated for the public to park at the harbor. Ms. Nolan will find a solution to this problem and determine a consistent parking procedure and report back to the Board.

Discussion of Highland Center Update

Norm Edinberg, Truro's representative to the Highland center, Lauren McKean, Cape Cod National Seashore and Kyle Hinkle, Executive Director of the Highland Center updated the Board on the Highland Center. The ICON Architecture Implementation Plan, the hiring of Ms. Hinkle, the completion of the first phase of the water and waste water systems which will service the center was completed by the CCNS, one of the four barracks has been assigned to the Fine Arts Work Center for artists' studios, and second to Americorps Cape Cod for living and office space for their program participants, third to HCI and a fourth for the CCNS summer staffing. Mr. Edinberg asked the Board to review the Implementation Plan and if the Board felt it was necessary to discuss the Plan further Mr. Edinberg and Ms. Hinkle would return to the Board to answer any questions or concerns.

Discussion with Petitioners Regarding Referral of 25 Stephens Way to Cape Cod Commission

Mr. Gaechter and Mr. Hartman read Disclosures of Appearance of Conflict of Interest as Required by G.L.C.268A §23 (b)(3) regarding 25 Stephens Way. Attorney Landreth requested that the Board not make a determination on this issue until he and his client, Mr. Kline, the owner of the property had time to form their opinion to the Board of Selectmen. Truro's Town Counsel is in agreement with Attorney Landreth and is requesting that the referral be deferred until plans with topographical elevations and schematic drawings are submitted for review by the Board and the public. Mr. Gaechter asked that the plans be submitted by August 30th for review and a joint discussion will proceed at the regular meeting of the Board of Selectmen on September 4, 2007. Susan Kadar and Joan Holt reported that approximately three hundred people had signed a petition in support of the referral to the Cape Cod Commission and asked the Board to accept the petition as written. Regan McCarthy asked if it would be possible to have additional time to view the plans. Mr. Kline would attempt to have the plans available as soon as possible. Mr. Gaechter asked the members of the Board to bring the information pertaining to the Kline project to the regular meeting of the Board on September 4th when this issue will be discussed.

Discussion with the Taxation Aid Committee

Robertta Lema, a member of the Taxation Aid Committee reviewed the process for the elderly and disabled to access the tax relief fund for the citizens of Truro. The application process, definitions, eligibility criteria and the distribution of funds are outlined in the packet of information given to the Board. Ms. Lema informed the Board applications and information will be available at the Truro Public Library, the Council on Aging and the Town Hall for all interested citizens. The process of informing the public will be done on an annual basis as well as being posted in the local newspapers. **Curtis Hartman moved to authorize the use of documents for the Town of Truro Elderly and Disabled Tax Aid Fund, seconded by Gary Palmer. Vote: 5-0, unanimous.**

Discussion of Dune Shacks with Dune Shack Committee

Joyce Johnson, Brenda Boleyn and Butch Francis discussed the status of the dune shacks with the Board. Mr. Gaechter asked each member what their thoughts or concerns were with the letter that the Provincetown Board of Selectmen wrote to the Superintendent of the Cape Cod National Seashore concerning the dune shacks on the outer beach. Joyce Johnson, Mr. Francis and Ms. Boleyn all stated that Truro should not endorse the Provincetown Board of Selectmen letter because it did not seem to be productive in resolving the complicated issues surrounding the dune shacks. Ms. Johnson discussed with the Board the discrepancies in the letter and corrected them. Gary Palmer will draft a letter on behalf of the Truro Board of Selectmen supporting the process and outlining the valuable points and discrepancies that Ms. Johnson reported.

Interview Applicants to Multi-Member Boards and Committees:

Irma Ruckstuhl has applied to serve on the Historical Commission and discussed her interest and credentials with the Board of Selectmen. **Curtis Hartman moved to appoint Irma Ruckstuhl to the Historical Commission to fill an unexpired one year term ending June 30, 2008, seconded by Chris Lucy. Vote: 5-0, unanimous.**

Liquor License-Truro Educational Enrichment Alliance

Curtis Hartman recused himself from the discussion. Ms. Stephanie Santos requested a one day liquor license for Saturday, September 1, 2007 to serve wine at the Castle Hill Center for the Arts, from 5:00-7:00 p.m. at Castle Road. Ms. Santos also requested that the fee be waived as the T.E.E.A. is a non-profit organization. **Fred Gaechter moved to approve the one day liquor license for the Truro Educational Enrichment Alliance and waive the fee, seconded by Chris Lucy. Vote: 4-0, (CH abstained).**

Liquor License-Truro Vineyards of Cape Cod

Kristen Roberts requested a one day pouring license for Sunday, September 16th from 12:00 p.m. to 6:00 p.m. **Gary Palmer moved to approve the one day pouring license for the Truro Vineyards located at 11 Shore Road from 12:00 p.m. and to expire at 6:00 p.m. on Sunday, September 16, 2007, seconded by Chris Lucy. Vote: 5-0, unanimous.**

Curb Cuts (2): John Reis, 456 Route Six

Mr. Reis was not present at the time the Board discussed the curb cut for 456 Route Six. It was unclear whether or not the planning board had approved the site plan. The Town Administrator was asked to research the curb cut and whether or not this issue had gone before the planning board.

Dawn Balcazar, 57 Corn Hill Road

Ms. Nolan was informed that the Balcazar's are not ready to be heard at this meeting and requested that the curb cut be postponed. **Gary Palmer moved to postpone the curb cut for 57 Corn Hill Road until the next regular meeting on September 4, 2007, seconded by Chris Lucy. Vote: 5-0, unanimous.**

Condominium Conversion: Verve Development LLC, 497 Shore Road, Sunrise Cottages

Russell Braun the owner of Verve Development LLC requested that the Board of Selectmen approve "Phase 2" of his project at 497 Shore Road, Sunrise Cottages. The Board of Health has approved the condominium conversion application. Phase 2 of the project will convert three cottages to condominium with a total of six bedrooms for a total of six units. The manager's unit will designated as Unit #7. **Gary Palmer moved to approve "Phase 2" of the condominium conversion of three units at Sunrise Cottages, 497 Shore Road, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

Discussion of Fall Town Meeting Dates

The possible dates for Fall Town Meeting are Oct. 30th, Nov. 6th, Nov. 13th, Nov. 20th or Nov. 30th. Items identified for Fall Town Meeting are: 1. Additional funds for gasoline for the Truro Police Department. 2. Repair of an irrigation pump at the Highland Links. 3. Additional funds for the Workers Compensation Insurance policy. 4. Increase to full time the part time position in the Administrative Office. An article may need to be written for a Special Events Policy for the Fall Town Meeting. The town administrator was directed to send town counsel the Special Events policy she had reviewed with the Board from Stowe Vermont.

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Discussion of Fall Town Meeting Dates

Mr. Gaechter reported he and Ms. Nolan had met with Steve DiGiovanni, owner of Truro Adventures on Carlin's Way and expressed their concerns about the weddings that are taking place at Carlin's Way, specifically, the noise, lighting, transportation, etc. Mr. DiGiovanni made it clear that he had one more wedding this year and would hold the wedding during the day. Mr. DiGiovanni was asked to meet on September 11, 2007 with the Selectmen but is unable to attend due to travel arrangements. Mr. Gaechter asked that this matter be placed on the agenda for September 11, 2007 and asked Ms. Nolan to have town counsel present. **Gary Palmer moved to approve Fall Town Meeting to be held on Tuesday, November 13, 2007 at the Truro Central School, seconded by Curtis Hartman. Vote: 5-0, unanimous.**

Curb Cuts (2): John Reis,

Mr. John Reis, owner of the proposed ten lot sub division at 456 Route Six, entered the meeting to discuss his request for a curb cut. Mr. Reis informed the Board his sub division had been approved by all Truro Boards and Committees and the site plan had been reviewed by the planning board. **Curtis Hartman moved to approve the curb cut at 456 Route Six for the ten lot sub division owned by John Reis, seconded by Chris Lucy. Vote: 5-0, unanimous.**

Board of Selectmen's FY2008 Goals and Objectives

The Chairman asked that the FY2008 goals and objectives be discussed at the regular meeting held on September 11, 2007.

Town Administrator's Report

The following are topics that Ms. Nolan reported on in her report. Final Environmental Impact Statement Cape Cod National Seashore Hunting Program, Council on Aging July report, FLEX statistics, Mass. Municipal Assoc. Fact Sheet on Health plans, Truro Library's July Report, Recreation Dir. Report, CCC Barn. County Regional Policy Plan, Cape Light Compact Stats. Ms. Nolan had also visited the Community Center project and informed the Board the foundation walls are almost ready to be poured. There is an emergency Town Building Committee meeting concerning a change of work order for the parking lot at the site on Weds. Aug. 22 at 1:00 pm., Truro Town Hall. Change of work orders will be paid out of the contingency fund for the community center. Jan Worthington asked that the Board be informed of how much is being withdrawn from the contingency fund.

Website

Mr. Hartman urged the town administrator for a timetable and or a date when the new town website would be available. If the Board would like to view the new website they may log onto **test.truro-ma.gov** Ms. Nolan agreed to report back to the Board on the date the new website would be available.

Selectmen's Report and Liaison Reports

Jan Worthington-Met with the Council on Aging Director and Gary Palmer to discuss the procedure for helping patients return to Truro from the hospital. Ms. Worthington requested that the Cobb Library berm needs to be removed and lines painted in the existing parking lot. The town administrator was asked to contact the CCC and ask for a report on the safest way to handle the parking area and remind the commission to send the N. Truro traffic study.

Gary Palmer-Met with the members of the Pamet Lens Oversight Group to discuss the Herring River Project. Mr. Palmer also attended a meeting with members of Wellfleet, Truro and with the National Park Service to draft the memorandum of understanding for the Herring River Project. In order for the project to go forward all three entities need to be in agreement.

Chris Lucy-Invited to the next ZBA meeting to discuss the curb cut that was approved by the BOS for the property on 37 Great Hollow Road. Mr. Lucy will attend the Recreation Com. Meeting on Thurs. Aug. 23rd to discuss Snow's Field and the Burn Dump on S. Highland Road. A public hearing will held to answer questions concerning the recreational plan for the two sites. Mr. Lucy asked that the police department be asked to participate in answering questions, handing out literature concerning the police department, child safety info., handing out bike helmets, or installing your child's car seat properly during Truro Treasure's weekend. With school starting Mr. Lucy asked that the police department or the school hand out identification cards with fingerprints possibly when school pictures are being taken. Mr. Lucy asked that the town administrator research if the Town Charter needs to be changed and/or the police chief's contract to remove the police department from the Commissioner's of Police (Board of Selectmen) and place the department under the authority of the Town Administrator. Ms. Nolan will research and report back to the Board at the end of September to draft an article for Annual Town Meeting in the spring. Mr. Lucy received a letter from the State Ethics Commission pertaining to a conflict of interest issue concerning Nick Brown's appointment to the Shellfish Advisory Committee. A 23 (b) (3) was filed with the town clerk on this issue.

Curtis Hartman-Met with Ms. Nolan and Dennis Klass, the chair of the Cable Advisory Committee to discuss the cable negotiations.

Fred Gaechter-No report.

Next Meeting Agenda

No meeting on August 29, 2007.

Other Business-None

Executive Session

At 8:27 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider personnel matters and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. Vote: 5-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy, Clerk

Curtis Hartman

Janet W. Worthington
Truro Board of Selectmen